

OLL: 83-2127  
8 September 1983

MEMORANDUM FOR: Director of Security  
Office of General Counsel  
Chairman, DCI Security Committee

FROM:

Deputy Director, Office of Legislative Liaison

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SUBJECT: Study on Validity of Polygraph Testing

1. I received a call from Richard Willard, Deputy Assistant Attorney General, Civil Division/DoJ, yesterday. He said that he had received a copy of a study entitled "The Validity of Polygraph Testing," which had been sent to him by Steve Garfinkel, Director, Information Security Oversight Office (D/ISOO). The study was prepared for the Office of Technology Assessment (OTA), a section of the Congressional Budget Office (CBO) at the request of Chairman Jack Brooks' (D., TX) House Government Operations Committee. A copy of the report is attached for the Director of Security. (Initially, Mr. Willard had thought that only Garfinkel had received a copy and had been asked to comment on it. In a later call, however, Willard reported that the study had also been disseminated for comment to DEA, FBI, Secret Service, Army, Navy, Air Force, other DoD components, SECOT and possibly others, each of whom had been asked to comment.) In fact, Britt Snider of DoD acceded to a request by the Office of Technology Assessment for a meeting today with OTA representatives to discuss this study.

2. Willard points out that this study was obviously prepared in the context of the major onslaught by various Congressional committees against the polygraph. As you know, numerous committees, including Government Operations of both Houses, Armed Services of both Houses, as well as the Post Office and Civil Service Committee of the House and the Judiciary Subcommittee on Civil & Constitutional Rights of the House, are scheduling hearings on National Security Decision Directive (NSDD) 84, including the polygraph question. Willard urges--and I concur--that the Executive Branch should respond to polygraph issues, including comment on the attached, with consistency to the extent possible. Willard had suggested to Ken deGraffenreid, NSC, early in the day, that the NSC should take the lead, but agreed with deGraffenreid that the NSC staff was not equipped to handle this. I suggested that the SECOT would be an appropriate spokesman and Willard agreed that that would make sense.

3. Director of Security:

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As we discussed, you need to decide to what extent CIA--as opposed to SECOM--should be out front on this whole polygraph issue. So far, none of the committees addressing this issue has wanted to hear from CIA. We have had the same experience with the Congress on the other controversial NSDD 84 issue, prepublication review. It is apparent to me that the reason that CIA has been left alone on those two issues is because we have programs in place in polygraph and prepublication review which work effectively; and the various committees on the Hill that are looking into these issues in the NSDD 84 context are all known to be hostile and, therefore, do not want to hear from CIA where it is working well. Any cutback on the use of polygraph, or restrictions on expansion of the use of the polygraph among the Intelligence Community or Community customers, has an impact on the DCI's authority to protect sources and methods. Therefore, it is clear that SECOM has a role, but it is less clear, and we need to examine, to what extent CIA should make an appearance.



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Deputy Director, Office of Legislative Liaison

Attachment:  
As Stated

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DD/OLL: (12 Sept 1983)

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